

REMARKS

This is in response to the Office Action dated September 22, 2004. Claims 1-21 are pending.

Claim 1 stands rejected under 35 U.S.C. Section 103(a) as being allegedly unpatentable over Morishita in view of Ginter and Merkle. This Section 103(a) rejection is respectfully traversed for at least the following reasons.

Claim 1 requires "a first program for controlling basic operations of said electronic apparatus so that basic operations of the apparatus are executed by controlling elements of the apparatus via the first program, and a second program that is a subroutine and is accessed in said first program so as to control an additional operation of said electronic apparatus so that the second program controls the additional operation that is different than the basic operations controlled by the first program, wherein the second program becomes available via elements of the apparatus that can execute the basic operations via the first program; a control section for implementing a desired operation by executing only said first program, or both said first and second programs; and a system managing section that, in response to a releasing key operation that renders the additional operation implementable, makes said second program accessible in said first program, and wherein said first program is accessible and operable both before and after the releasing key operation, wherein the second program is a subroutine of the first program."

Thus, it will be appreciated that certain example embodiments of this invention relate to an electronic apparatus including a plurality of elements (e.g., a scanner, a printer, and a communication unit), where basic operations of the apparatus are executed by controlling these elements via the first program. There is also provided a second program, which is a subroutine

of the first program and with which an additional operation(s) that is different from the basic operations becomes available via element(s) that can execute the basic operations via the first program; and the second program is activated in response to a releasing key operation.

The Office Action admits that Morishita and Ginter fail to disclose or suggest the aforesaid underlined aspects of claim 1. Recognizing these flaws in Morishita and Ginter, the Office Action cites to Merkle.

Merkle discloses a shareware program which merely processes data on the memory of the computer. This shareware program of Merkle is therefore not a first program that controls elements of a computer. Accordingly, the shareware of Merkle does not meet the first program aspect of claim 1. Moreover, even if the control of the functionality of the program is released, the released functionality is no more than an additional program for processing data on the memory of a computer. Thus, this released functionality is much different than the second program of claim 1 with which an additional operation(s) becomes available via elements of the apparatus that can execute the basic operations via the first program. Thus, the second program aspect of claim 1 is also not met by Merkle.

In view of the above, it can be seen that even the alleged combination of the three references (which applicant believes to be incorrect in any event) fails to meet the invention of claim 1.

Moreover, as explained previously, both Morishita and Ginter also fail to disclose or suggest a second program which is a *subroutine* of a first program, where the second subroutine program is selectively activatable via a releasing key operation, and the first program is accessible and operable both before and after the releasing key operation as required by claim 1. In other words, claim 1 requires that the second program is a subroutine of the first program, and

that the second program is selectively activatable via the releasing key operation. On the other hand, the first program (which the selectively activatable second program is a subroutine of) is accessible and operable before and after such a releasing key operation. The cited art fails to disclose or suggest these aspects of claim 1, either taken alone or in combination.

The cited art fails to disclose or suggest using a release key operation to allow accessibility to a subroutine program (e.g., second program) that is provided in a main program (e.g., first program) that is accessible regardless of the release key operation. Both Morishita and Ginter fail to disclose or suggest this aspect of amended claim 1. Thus, it will be appreciated that even if the references were combined as alleged in the Office Action (which applicant believes would be incorrect in any event), the invention of amended claim 1 still would not be met.

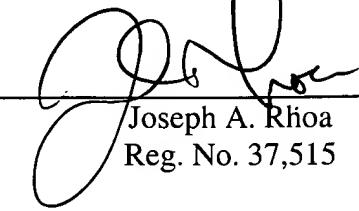
The other independent claims also require that basic operations of the apparatus are executed by controlling elements of the apparatus via the first program, and that the second program controls an additional operation(s) that is different than the basic operations controlled by the first program, wherein the second program becomes available via elements of the apparatus that can execute the basic operations via the first program. These claims further require that the second program is a subroutine of the first program. Again, the cited art fails to disclose or suggest these aspect of the other independent claims.

For at least the foregoing reasons, it is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

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Respectfully submitted,

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